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TO RUEHC/SECSTATE WASHDC IMMEDIATE 0361
INFO RHMFIUU/DEPT OF JUSTICE WASHINGTON DC IMMEDIATE
RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC
RHMFIUU/FBI WASHINGTON DC
RUEABND/DEA HQS WASHINGTON DC
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RUEHBR/AMEMBASSY BRASILIA 0093
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SUBJECT: EXTRADITION APPROVED FOR PYRAMID SCHEME MASTERMIND

SUMMARY

11. (SBU) On October 14, the Colombian Supreme Court approved the extradition of David Murcia Guzman, head of the Colombian financial services firm DMG and the prime suspect in one of the largest pyramid schemes in Colombia. The ruling comes a month after the Court denied the U.S. extradition request for Murcia's associate, Daniel Angel Rueda, finding it was in violation of the principle of double jeopardy. Murcia, charged with money laundering in the United States, is expected to be extradited in late November or early December. Four other DMG associates requested for extradition for the same charges are awaiting Court action. End Summary.

DMG EXTRADITION APPROVED

12. (SBU) On October 14, the Colombian Supreme Court approved the extradition of David Murcia Guzman for money laundering charges. According to Edmundo del Castillo, legal advisor to President Uribe, the Executive will give final approval to Murcia's extradition, but may add a caveat that any assets recovered go to the Colombian victims of the pyramid scheme. Assuming there is no appeal, Murcia is expected to be extradited to the United States in late November or early December.

KEY TO DECISION ON DOUBLE JEOPARDY IS DATE OF SENTENCING

13. (SBU) On September 9, the Supreme Court ruled against the extradition of Daniel Angel Rueda, a DMG associate, finding it would violate the principle of double jeopardy. (Note: The Colombian Supreme Court has invoked the double jeopardy argument when an individual is convicted and sentenced in Colombia prior to the submission of the U.S. provisional arrest request. End Note.) Rueda's extradition was solicited at the same time as Murcia and

both had criminal cases against them in Colombia. However, unlike Murcia, Rueda accepted the charges against him, speeding up the sentencing process. By the time the Embassy submitted a provisional arrest request, Rueda had been convicted and sentenced to four years and five months in prison.

14. (SBU) The Colombian Supreme Court has yet to rule on the extradition requests for four other DMG associates charged with money laundering. One of those requests may be denied, we understand from the Prosecutor General's Office, because the defendant, like Rueda, quickly pled guilty to the Colombian charges.
NICHOLS